

MEGGESTO & BADERA

Attorneys and Counselors at Law

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*ALSO ADMITTED IN DISTRICT OF COLUMBIA
**ALSO ADMITTED IN MASSACHUSETTS

April 1, 1994

CERTIFIED MAIL

✓ Mr. Arnold Bernas
Project Manager
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II
Room 2930
26 Federal Plaza
New York, New York 10278

Ms. Elena T. Kissel
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
Room 437
Region II
26 Federal Plaza
New York, New York 10278

Re: York Oil Site, Moira, New York
Request for Information Center
42 U.S.C. Section 9604(e)

EPA Identification Number of Val's Motors, Inc.
NYD013222575

Dear Mr. Bernas and Ms. Kissel:

I have enclosed the Responses to the Request for Information made by you pursuant to your February 17, 1994 correspondence.

The individuals listed have made every effort to accurately and thoroughly respond to your requests. As you are well aware, the applicable time period indicated in your request is an extended period of time and it was quite difficult to produce any documentation for that period of time as the documents are held by Val's Motors only for as long as necessary based upon business practice and applicable laws.

MEGGESTO & BADERA

With regard to financial statements and tax returns, you will note that the same are attached to the Response for the years of 1988 - 1992 as year ending 1993 are not yet available. If you deem the 1993 tax returns and financial as necessary documentation which you desire to be disclosed, please notify me of the same and I will forward those documents upon there availability.

Please contact me should the need arise.

Very truly yours,



Gary J. Valerino

GJV/laa
enc.

RESPONSE TO REQUEST FOR INFORMATION

- 1-a. Val's Motors, Inc.
 - b. 756 State Fair Boulevard,, Syracuse, New York 13209
(located in the Town of Geddes)
 - c. Company has never had any other locations
 - d. Corporation organized in New York State
 - e. President - Margaret Valerino, 756 State Fair Boulevard,
Syracuse, New York 13209
Chief Executive Officer & Chairperson of the Board -
Louis A. Valerino, III, 756 State Fair
Boulevard, Syracuse, New York 13209
 - f. Louis A. Valerino, III, 756 State Fair Boulevard, Syracuse,
New York 13209
 - g. No other subsidiaries or affiliates
 - h. Val's Motors, Inc. is not a successor to any other Company
-
- 2-a. Yes
 - b. Both cars and trucks, estimated 70% cars, 30% trucks
 - c. Yes, Dodge cars and trucks
 - d. Estimate 80 oil changes with an average of 5 quarts per oil
change, produced on average an estimated 400 quarts of oil
per month.
 - e. Yes, more oil changes in the summer than winter.
 - f. Oil was stored in storage tanks.
 - g. Yes, a steel metal container. It is unknown whether or not
the container had a liner.
 - h. No
 - i. In the lube area of the facility and outside near the shop
entrance.
 - j. Below ground tanks.
 - k. Yes, waste transmission fluid. Estimate on an average, one
gallon per month during the time period.

1. Waste oil was picked up by tanker trucks from the location and the location where oil was sent is unknown.
 - m. Seitz Oil Company for transportation and removal. Type of oil was waste motor oil and waste transmission fluid. On a monthly basis, approximately 100 gallons of waste motor oil and one to two gallons of waste transmission fluid. The Company that removed the waste oil was Seitz, we are unable to identify persons who conducted the removal by name, it is not known where the oil was transported.
 - n. We cannot describe the characteristics and contents of the oil only that it was used motor oil.
 - o. To the best of our knowledge, no tests were done, however, the same is unknown.
 - p-1. Unknown.
 - p-2. Unknown.
 - p-3. Unknown.
 - p-4. Unknown.
 - q. We have no knowledge or recollection of Pierce Oil Company, Pierce Brothers Oil Service, York Oil or any other agents, employees of those entities ever visiting or removing waste oil from Val's Motors, Inc.
 - q-1. Unknown and Not applicable.
 - q-2. Unknown and Not applicable.
 - q-3. Unknown and Not applicable.
 - q-4. Unknown and Not applicable.
3. Release all documents relating.

We are unable to locate any documents relating to this request.
 4. Upon information and belief, up to 1965, Val's Motors, Inc. was paid for waste oil (a few cents per gallon), later during the applicable period stated the waste oil was picked up without any financial transactions and during the latter part of the applicable period, Val's Motors, Inc. had to pay to have the waste oil removed. We are unable to locate any records or documents relating to the request

concerning financial arrangements for disposal as our practice is to keep accounting documents for approximately 10 years or as prescribed by State and Federal Law and generally accepted accounting standards and business practices.

5.

-Margaret Valerino FOIA EX. 6
FOIA EX. 6

-Margaret Valerino is the wife of the Founder of the Business now known as Val's Motors, Inc, is currently the President and majority Stockholder and has worked in and around the business since its inception.

Mrs. Valerino is still active in the business working in the office as a receptionist/cashier and responsible for Accounts Receivable.

-Louis A. Valerino, III, is the grandson of the Founder and son of the President of Val's Motors, Inc. who passed away in 1985 and 1987 respectively. Mr. Valerino has worked in the business at various capacities on a consistent basis since 1978 and currently is the General Manager and Dealer Principal

-John Gosson. FOIA EX. 6
FOIA EX. 6

Mr. Gosson has been employed at Val's Motors, Inc. since approximately 1956-57 and has served Val's Motors in various capacities since that time with the exception of approximately two - three years which were spent in the military service. Mr. Gosson is currently the service manager and his duties include the managing and overseeing of the service department and its operations.

-Carol Bloeser. FOIA EX. 6
FOIA EX. 6

Ms. Bloeser has been employed at various office positions at Val's Motors, Inc. since the early 1960's and is familiar with the general business and it's affairs. Her job currently is Bookkeeper (Controller) and duties include the preparation of financial statements, accounts payable/accounts receivable and other financial tasks within the operation.

-Nicholas Garzia, FOIA EX. 6
FOIA EX. 6

Mr. Garzia has worked at Val's Motors, Inc. since the early 1960's at various capacities in the sales department. His current position is a sales manager of new and used automobiles.

6. Upon our information and belief, the insurance company throughout a majority of the period from 1954 to June 21, 1989 was with the Exchange Mutual Insurance Company through the insurance agency known as Caryl & Murray. The actual policies for the insurance coverages are not available, the effective dates are unknown, the per policy limits for each policy are unknown.

-Attached hereto as Exhibit "A" is the affidavit of the insurance agent, William Caryl and a letter from the Selective Insurance Company in response to a letter mailed to them by me with regard to the York Oil Site.

-Insurance coverage from June 21, 1989 to the present date is also listed as part of Exhibit "A".

7. See Exhibit "B", attached hereto for 1988-1992, 1993 not yet available.

8. See Exhibit "C", attached hereto for 1988-1992, 1993 not yet available.

9. It indicates that we need to identify each person consulted to in responding to these questions and correlate which one was consulted.

-Margaret Valerino 1a-1h, 2m, 2q, 5, 6

-John Gosson 2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 2l, 2m, 2n, 2o, 2p, 2q, 5

-Carol Bloeser 1a-1h, 2e, 2l, 2m, 2p, 2q, 3, 4, 5, 6, 7, 8

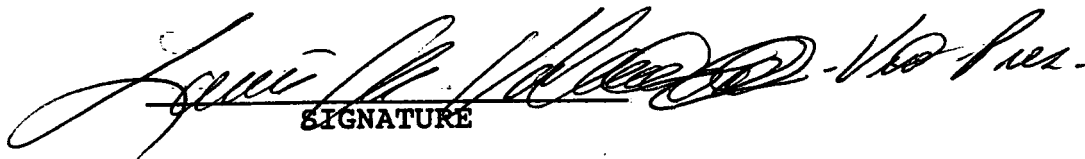
-Nicholas Garzia 2b, 2c, 2f, 2i, 2j, 2l, 2q, 5

-Louis A. Valerino, III, 2f, 2g, 2h, 2i, 2j, 5, 6,

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATIONState of NEW YORKCounty of ONONDAGA

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

LOUIS A. VALERINO, IIINAME (print or type)C.E.O. AND CHAIRMAN AND VICE-PRESIDENTTITLE (print or type)


SIGNATURE

Sworn to me before this

1st day of APRIL, 1994


NOTARY PUBLIC

LAURIE A. ALTMIRE
 NOTARY PUBLIC, STATE OF NEW YORK
 NO. 01AL5020701
 QUALIFIED IN ONONDAGA COUNTY
 MY COMMISSION EXPIRES 11/29/95

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:

WILLIAM CARYL, being duly sworn, deposes and says:

1. That during the years of 1960 through 1965 I was the insurance agent for Val's Motors Inc. through my Insurance Agency known as Caryl & Murray.

2. That said insurance was a policy written for coverage to Val's Motors Inc. in accordance with their operation of a Automotive Dealership at 756 State Fair Blvd. Syracuse, New York.

3. That during the time period of 1960-1965 the Insurance Company who insured Val's Motors Inc. was the Exchange Mutual Insurance Company.

4. That I make the foregoing statements based upon my recollection of the coverage afforded to Val's Motors Inc. through my Insurance Agency and by the Exchange Mutual Insurance Company.

William Caryl
William Caryl

Sworn before me on this
day of 1993.

William Caryl
Notary Public

NOTARY PUBLIC
STATE OF NEW YORK
My Comm. Expires 10/1/95

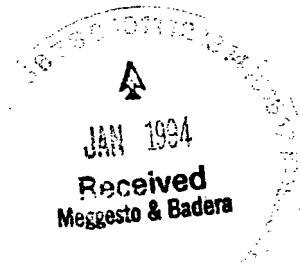


40 Wantage Avenue
Branchville, New Jersey 07890
201-948-3000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 5, 1994

Gary J. Valerino, Esq.
Meggesto & Badera
319 East Water Street
Syracuse, NY 13202-1123



**RE: Val's Motors, Inc.
York Oil Site in Moira, New York**

Dear Mr. Valerino:

On behalf of Exchange Insurance Company, Selective Insurance Company ("Selective") hereby acknowledges receipt of your letter dated December 17, 1993 regarding the above-referenced matter.

Your letter advises that Val's Motors ("Val's") has been named as a potentially responsible party by the EPA with regard to a Superfund Site clean-up in Moira, New York. Your letter further advises that allegedly between 1962 and 1966 crane motor oil was picked up at Val's and disposed of by Pierce Brothers Oil Company. It is further alleged that some of that oil was disposed of at the York Oil site in Moira, New York.

You have requested, on Val's behalf, that Exchange advise of its "intentions of defending and indemnifying Val's Motors, Inc. for the costs incurred with respect to this possible litigation."

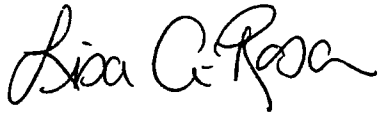
Please be advised that our Records Department does not retain policies going back to the 1960's. Any policies issued during that time period were destroyed long ago. Absent a review of any policies which Exchange is alleged to have issued to Val's, Exchange/Selective denies any obligation to defend and/or indemnify Val's in connection with the above-referenced claim. If you have a copy of the alleged policies please forward them to me for my review.

Again, without a review of any alleged policies, Exchange/Selective denies any obligation to defend and/or indemnify Val's in connection with this claim.

- 2 -

If you have any questions or require any further information please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa A. Rosa". The signature is fluid and cursive, with the first name "Lisa" being more prominent.

Lisa A. Rosa
Environmental Claims Attorney

LAR/dat
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To Whom It May Concern -

Insurance Coverage-Re Val's Motors Inc.

6-21-89 thru 6-21-90	Aetna Insurance Company Umbrella Policy \$2,000,000. Comm. General Liability 1,000,000. Aggregate
6-21-90 thru 6-21-91	Aetna Insurance Company Umbrella Policy \$2,000,000. Comm. General Liability 1,000,000. Aggregate
6-21-91 thru 6-21-92	Aetna Insurance Company Umbrella Policy \$2,000,000. Comm. General Liability 1,000,000. Aggregate
6-21-92 thru 6-21-93	Pentastar Ins. \$3,500,000. General Liability 2,000,000 Umbrella
6-21-93 thru 6-21-94	Pentastar Ins. \$3,500,000. General Liability 2,000,000. Umbrella